

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Richmond Division

In re

HEALTH DIAGNOSTIC LABORATORY,
INC., *et al.*,

Debtors.

Case No. 15-32919-KRH

Chapter 11

NOTICE OF APPOINTMENT OF CONSUMER PRIVACY OMBUDSMAN

Gerard R. Vetter, Acting United States Trustee (“United States Trustee”), by counsel, in furtherance of his duties and responsibilities set forth in 28 U.S.C. §586(a)(3) and (5), and pursuant to 11 U.S.C. §332, hereby appoints Elise S. Frejka, Esquire, CIPP/US of Frejka PLLC as Consumer Privacy Ombudsman. Ms. Frejka’s hourly rate for this matter is \$695.00 per hour. Her contact information is as follows:

Elise S. Frejka
FREJKA PLLC
415 East 52nd Street | Suite 3
New York, New York 10022
ph: (212) 641-0848 | cell: (212) 486-6480
Efrejka@frejka.com

Kathryn R. Montgomery, AUST (Va. Bar No. 42380)
Shannon Pecoraro (Va. Bar No. 46864)
Nisha R. Patel (Va. Bar No. 83302)
Office of the United States Trustee
701 East Broad Street - Suite 4304
Richmond, VA 23219
Telephone (804) 771-2310

This notice is accompanied by Ms. Frejka's Acceptance of Appointment and Verified Statement of disinterestedness.

Date: May 30, 2024

Respectfully submitted,

GERARD R. VETTER
Acting United States Trustee
Region Four

By: /s/ Kathryn R. Montgomery

Kathryn R. Montgomery
VSB. No. 42380
Assistant United States Trustee
Office of the United States Trustee
701 East Broad Street - Suite 4304
Richmond, VA 23219
Telephone (804) 771-2310
Kathryn.Montgomery@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 30TH day of May, 2024 a true and correct copy of the foregoing was filed using this Court's CM/ECF System, which served a copy of the Notice of Appointment on all parties receiving service in this case. It was also emailed to the following:

Robert S. Westermann (VSB No. 43294)
Brittany B. Falabella (VSB No. 80131)
Kollin G. Bender (VSB No. 98912)
HIRSCHLER FLEISCHER, PC
The Edgeworth Building
2100 East Cary Street
Post Office Box 500
Richmond, Virginia 23218-0500
E-mail: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com
kbender@hirschlerlaw..com

Elise S. Frejka
FREJKA PLLC
415 East 52nd Street | Suite 3
New York, New York 10022
ph: (212) 641-0848 | cell: (212) 486-6480
Efrejka@frejka.com

/s/ Kathryn R. Montgomery

Kathryn R. Montgomery, Esquire
Assistant United States Trustee

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE:) Chapter 11
)
HEALTH DIAGNOSTIC) Case No. 15-32919 (KRH)
LABORATORY, INC., *et al.*,)
)
DEBTORS.¹)
)
_____)

**ACCEPTANCE OF APPOINTMENT AND
VERIFIED STATEMENT OF ELISE S. FREJKA, CIPP/US**

I, the undersigned, Elise S. Frejka, do hereby accept my appointment by the United States Trustee as Consumer Privacy Ombudsman in the above-captioned cases and hereby verify and declare as follows:

1. I am a person eligible and competent to perform the duties of Consumer Privacy Ombudsman, as set forth in 11 U.S.C. § 332, in the above-captioned cases.
2. I am an attorney at law, a Certified Information Privacy Professional, and the founding member of Frejka PLLC, which has its address at 415 East 52nd Street, Suite 3, New York, NY 10022 (the “Firm”).
3. Neither the Firm nor any member or employee thereof (including myself) is a creditor, an equity security holder, or an insider (as that term is defined at 11 U.S.C. § 101(31)) of Health Diagnostic Laboratory, Inc. or its affiliated debtors (the “Debtors”).
4. Neither the Firm nor any member or employee thereof (including myself) is or was within two years before the petition date of June 7, 2015, a director, officer, or employee of the Debtors.

¹ The Debtors, along with the last four digits of their federal tax identification number, are Health Diagnostic Laboratory, Inc. (0119), Central Medical Laboratory, LLC (2728), and Integrated Health Leaders, LLC (2434) (referred to herein collectively as “HDL”).

5. Neither the Firm nor any member or employee thereof (including myself) has an interest materially adverse to the Debtors, their estates or any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in the Debtors, or for any other reason.

6. Based upon the foregoing, I believe that the Firm and I are “disinterested persons” within the meaning of sections 101(14) and 332(a) of the Bankruptcy Code. To reach this conclusion, I conducted a conflicts and connections check, including a review of the Schedules of Assets and Liabilities [Dkt. No. 283].

7. Neither the Firm nor any member or employee thereof (including myself), insofar as I have been able to ascertain, has any financial connection with the Office of the United States Trustee, the Debtors, or their estates.

8. I have not received any compensation from any party with respect to my appointment in these cases, nor have I made any agreements or arrangements with the Office of the United States Trustee, the Debtors, or any other party for compensation.

9. I agree to serve as Consumer Privacy Ombudsman in the above-captioned cases and seek reimbursement of reasonable fees and expenses from the HDL Liquidating Trust. My 2024 hourly rate is \$695.

10. I acknowledge my statutory obligation not to disclose any personally identifiable information I obtain, and I agree to comply with 11 U.S.C. § 332(c).

11. If I become aware of any additional unrelated representations or relationship subsequent to the date of this Declaration, I intend to supplement this Declaration accordingly.

* * * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: New York, New York
May 23, 2024

A handwritten signature in black ink, appearing to read "Elise Frejka", written over a horizontal line.

Elise S. Frejka